THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No:23046 of 2006

DATED:02-08-2007

BETWEEN:

M/s Sai Krupa Wines,
Rep., by R.Nagabhushanam,
Manthani Village and Mandal,
Karimnagar District & 2 others.

..... PETITIONERS

AND

The District Collector,
Karimnagar District & 3 others.

.....RESPONDENTS

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ORDER:

Petitioners seek a writ of mandamus directing the notification No.454/2006/P&E/A4, dated 27-10-2006, as illegal, unjust, unsustainable, and violative of Article 14 of the Constitution of India.

2. After filing counter none appeared for the petitioner and therefore, the matter has been posted to this day under the caption 'for dismissal'. Today also none appears for the petitioner.

3. Learned Government Pleader submits that the petitioners question the notification, dated 27-10-2006, notifying the undisputed A4 liquor shops for auction reducing the upset price as the said shops were disposed of.

4. I am of the opinion that reducing the upset price is within the discretion of the respondents, and the petitioners cannot question the said action of the respondents in reducing the upset price. It is for the bidders to bid higher than the upset price and therefore, there is no right to the petitioner to fix the upset price as per his will and wish.

5. Accordingly, Writ Petition is dismissed. No order as to costs.

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V.ESWARAIAH,J

02nd August, 2007.

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